

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/663,818
Attorney Docket No. Q77067

REMARKS

Claims 1-8 are all the claims pending in the application. By this Amendment, Applicant amends claim 1 to further clarify the invention. Applicant also adds claims 8-14, which are clearly supported throughout the specification e.g., Fig. 4.

Claims 1, 5, 6, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,977,654 to Johnson et al. (hereinafter “Johnson”) in view of U.S. Patent No. 4,761,645 to Mochida (hereinafter “Mochida”), claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Mochida, and further in view of U.S. Patent No. 6,827,642 to Flick (hereinafter “Flick”), claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Mochida and further in view of U.S. Patent No. 6,275,141 to Walter (hereinafter “Walter”), and claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Mochida, and further in view of U.S. Patent No. 5,760,680 to Hwang (hereinafter “Hwang”). Applicant respectfully traverses these grounds of rejections in view of the following comments.

Of these rejected claims, only claim 1 is independent. Independent claim 1 *inter alia* recites: “an activation unit for the vehicle which receives the first ID code from the portable transmitter and collates the first ID code with a prestored second ID code, such that a locked state of a vehicle operation device for the vehicle is released when the activation unit receives the first ID code; and an engine operation restraining unit which disables an engine operation based on a signal from the activation unit, wherein the signal from the activation unit is sent after the vehicle device has been released in response to the receipt of the first ID code by the activation unit.”

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That is, in an exemplary, non-limiting embodiment of the present invention, a vehicle operation device such as a steering wheel or a handle lock may be unlocked prior to disabling an engine operation. For example, the user may release the operation device *e.g.*, release the handle lock, and the burglar jumps into the car. However, since the engine is disabled even after the release of the operation device, the burglar would not be able to steal the car. Accordingly, the burglarproof device is further enhanced. It will be appreciated that the foregoing remarks relate to the invention in a general sense. The remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned above.

Johnson discloses a vehicle anti-theft system that disables a vehicle engine upon detection of an unauthorized vehicle start-up (*see Abstract*). Johnson, however, discloses when the receiver 62 receives a valid coded signal from the transmitter 60, it outputs a signal to the arm/disarm status box 54 to either arm or disarm the system 26. If the system 26 is currently armed, the control portion 28 will cause the system 26 to become disarmed, allowing the vehicle engine to be freely started. However, if the system 26 is currently disarmed, receipt of the valid coded signal will cause the control portion 28 to arm the system, and prevent the engine from remaining running if a vehicle start-up is detected. (col. 5, line 53 to col. 6, line 12). That is, Johnson does not disclose or suggest releasing the vehicle operation device prior to disabling the engine operation.

Mochida does not cure the above identified deficiency of Johnson. That is, Mochida discloses a steering lock device and as such clearly fails to disclose or suggest releasing the vehicle operation device prior to disabling the engine operation.

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Therefore, “an activation unit for the vehicle which receives the first ID code from the portable transmitter and collates the first ID code with a prestored second ID code, such that a locked state of a vehicle operation device for the vehicle is released when the activation unit receives the first ID code; and an engine operation restraining unit which disables an engine operation based on a signal from the activation unit, wherein the signal from the activation unit is sent after the vehicle device has been released in response to the receipt of the first ID code by the activation unit,” is not suggested by the combined disclosure of Johnson and Mochida. The combined disclosures of these references fail to suggest releasing the vehicle operation device prior to disabling the engine operation. For at least these exemplary reasons, claim 1 is patentable over Johnson in view of Mochida. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claims 5, 6, and 8.

Flick, Walter and Hwang do not cure the above-identified deficiencies of Johnson and Mochida. Accordingly, claims 2-4, and 7 are patentable at least by virtue of their dependency on claim 1.

New Claims

In order to provide more varied protection, Applicant adds claims 9-14.

Claims 9-11 are patentable at least by virtue of their dependency on claim 1. Moreover, these claims recite additional unique features which provide separate basis for patentability.

Claim 12 is patentable at least by virtue of its recitation of “collating the first ID received by the receiver with a prestored second ID code prestored in the receiver, such that a locked state of a vehicle operation device for the vehicle is released when the receiver receives the first ID code; and disabling an engine operation based on a signal representing a result of the collation,

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wherein the signal representing the result is sent after the vehicle operation device has been released in response to the received first ID code."

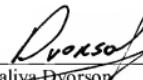
Claims 13 and 14 are patentable at least by virtue of their dependency on claim 12. Moreover, claims 13 and 14 recite additional unique features which provide separate basis for patentability.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: December 5, 2006

Attorney Docket No. Q77067